

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In Re Application of:)
Hochmuth, et al.) Group Art Unit: 2154
Serial No.: 09/941,254)
Filed: August 27, 2001) Examiner: Patel, Ashokumar B.
For: System and Method for Communicating) Confirmation No. 6013
Graphics Images over a Computer Network) HP Docket No.: 10007641-1
) TKHR Docket: 50819-1360
)

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is in reply to the Examiner's Answer, which was mailed February 8, 2008.

Response to Examiner's Answer

Applicants continue to disagree with the Examiner's positions as to all claim rejections under appeal. Applicants' Appeal Brief sets forth, from a substantive basis, the reasons why the cited art does not properly teach the features that are being claimed. The rejections set forth in the Examiner's Answer simply repeat (word for word) the prior positions taken by the Examiner in the FINAL Office Action. After that, beginning on page 33, the Examiner's Answer sets forth a detailed response to

Applicant's arguments. This discussion, however, does not change the basis of the rejections set forth earlier in the Answer (but merely elaborates on the rejections). Therefore, rather than restate or reiterate the rather lengthy bases and reasons why Applicants continue to disagree with the Examiner, Applicants repeat and re-allege herein the positions set forth in the Appeal Brief.

Applicants do note, however, that they continue to disagree with the rejections as being misplaced. For example, in the responsive section of the Examiner's answer (see e.g., p. 46) the examiner refers to how the cited art (Hendricks) defines the term "video." However, the way Hendricks defines a claimed term is largely irrelevant to the proper construction of the claimed term, as Applicants' claims should be construed in view of Applicants' specification (and not the specification of a third party's patents). In short, this is merely illustrative of many deficiencies embodied in the rejections, which deficiencies have been adequately set forth in Applicants' Appeal Brief.

Simply stated, the Applicants and the Examiner have a fundamental disagreement as to the applicability of the cited art to the presently pending claims and the appropriateness of the rejections set forth. For at least the reasons fully set forth in the Appeal Brief, Applicants respectfully submit that the Board should overturn the rejections of the Examiner.

No fees are believed to be due in connection with this Reply Brief. If, however, any additional fees are deemed to be payable, you are hereby authorized to charge any such fees to deposit account No. 08-2025.

Respectfully submitted,

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